

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ROBERT LECLAIRE,

Plaintiff-Appellee,

v.

JAMES DZURDENA, *et al.*,

Defendants-Appellants,

and

CHARLES DANIES, HAROLD WICKHAM,

Defendants.

Case No. 3:19-cv-00404-MMD-CLB

ORDER

Plaintiff Robert LeClaire, who is an inmate at Northern Nevada Correctional Center and represented by counsel, brought this action under 42 U.S.C. § 1983 against Defendants Martin Naughton, Charles Daniels, James Dzurenda, Harold Wickham, Romeo Aranas, and Michael Minev. (ECF No. 11.) The Court granted in part and denied in part Defendants' motion for summary judgment. (ECF No 40.) The Court denied Defendants' motion for summary judgment in part because they were not entitled to qualified immunity. (*Id.* at 13-14.) On appeal, the Ninth Circuit reversed and remanded the Court's denial of summary judgment because "it was not clearly established by May 2018 that denying a Nevada state prisoner Hep-C treatment under MD 219 constituted deliberate indifference," and therefore Defendants were entitled to qualified immunity. (ECF No. 47 at 3-4.) Now that the Court has the Ninth Circuit's mandate (ECF No. 48), it effectuates it.

It is therefore ordered that the Court's order (ECF No. 40) is vacated to the extent that it denies Defendants' motion for summary judgment.

1 The Clerk of Court is directed to reopen the case.

2 It is furthered ordered that Defendants' motion for summary judgment (ECF No.
3 30) is granted based on the Ninth Circuit's mandate (ECF No. 48).

4 The Clerk of Court is directed to enter judgment in Defendants' favor.

5 The Clerk of Court is directed to close the case.

6 DATED THIS 28th Day of April 2025.

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9 MIRANDA M. DU
10 UNITED STATES DISTRICT JUDGE
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